



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II

290 BROADWAY

NEW YORK, NEW YORK 10007-1866

232634



January 5, 2012

OVERNIGHT DELIVERY

William H. Hyatt, Jr., Esq.  
K & L Gates LLP  
One Newark Center, Tenth Floor  
Newark, NJ 07102-5285

Re: Diamond Alkali, Lower Passaic River Study Area  
Administrative Settlement Agreement and Order on Consent for Remedial Investigation  
and Feasibility Study, US. EPA Region 2 CERCLA Docket No. 02-2007-2009

Dear Mr. Hyatt:

Enclosed please find a copy of the EPA Region 2 Staff Statement of Position on the remaining issues that remain in the dispute resolution proceeding under the Administrative Settlement Agreement and Order on Consent for Remedial Investigation and Feasibility Study, initiated by your letter dated July 25, 2011, on behalf of the Cooperating Parties Group ("CPG").

A meeting has been scheduled for 10 am to noon on January 13, 2012, so that Walter Mugdan, the decision maker for the U.S. Environmental Protection Agency ("EPA") in this dispute, will have an opportunity to hear the CPG's views on the issues and ask any questions he may have. EPA staff will also be present, including Stephanie Vaughn, Marian Olsen, Pat Hick, Sarah Flanagan, and me. Mr. Mugdan has indicated that he will make a decision shortly after the meeting.

Sincerely yours,

Sarah Flanagan  
Assistant Regional Counsel

cc: W. Mugdan, ERRD  
E. Schaaf, ORC  
R. Basso, ERRD  
S. Vaughn, ERRD  
P. Hick, ORC

R2-0022414